

AUG 31 2006

## SMART & BIGGAR

*Intellectual Property & Technology Law*

To Fax no.: (571) 273-8300

Page 1 of: 11

Attention: **MAILSTOP AF**  
Examiner Julio R. Perez  
Group Art Unit 2617

P.O. Box 2999, Station D  
55 Metcalfe Street, Suite 900  
-- Ottawa, Canada K1P 5Y6

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From: SMART & BIGGAR

Your file no.: 10/682,084

Date: August 31, 2006

Reply to Ottawa file no.: 71493-1196

Time:

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James McGraw (Reg. No. 28,168)

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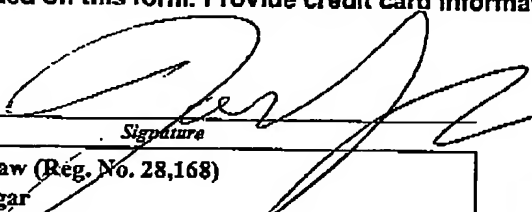
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T-649 P.002/012 F-938

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------------------------------|--|
| <b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               | Docket No.<br><b>71493-1196 /jas</b> |  |
| Applicant(s): <b>ADRIAN SMITH, ET AL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |                                      |  |
| Application No.<br><b>10/682,084</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Filing Date<br><b>October 10, 2003</b> | Examiner<br><b>Julio R. Perez</b> | Customer No.<br><b>07380</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Group Art Unit<br><b>2617</b> | Confirmation No.<br><b>9193</b>      |  |
| Invention: <b>DISTRIBUTED MULTI-BEAM WIRELESS SYSTEM,</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |                                      |  |
| <b>COMMISSIONER FOR PATENTS:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |                                      |  |
| Transmitted herewith is an amendment in the above-identified application.<br>The fee has been calculated and is transmitted as shown below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |                                      |  |
| <b>CLAIMS AS AMENDED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |                                      |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | CLAIMS REMAINING<br>AFTER AMENDMENT    | HIGHEST #<br>PREV. PAID FOR       | NUMBER EXTRA<br>CLAIMS PRESENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | RATE                          | ADDITIONAL<br>FEE                    |  |
| TOTAL CLAIMS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 22 -                                   | 22 =                              | 0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | x \$50.00                     | \$0.00                               |  |
| INDEP. CLAIMS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2 -                                    | 3 =                               | 0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | x \$200.00                    | \$0.00                               |  |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               | \$0.00                               |  |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               | <b>\$0.00</b>                        |  |
| <input checked="" type="checkbox"/> No additional fee is required for amendment.<br><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of ____<br><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.<br><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>19-2550</b><br><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.<br><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.<br><input type="checkbox"/> Payment by credit card. Form PTO-2038. |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |                                      |  |
| <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |                                      |  |
| <br>Signature<br><b>James McGraw (Reg. No. 28,168)</b><br><b>Smart &amp; Biggar</b><br><b>P.O. Box 2999, Station D</b><br><b>Ottawa, Ontario K1P 5Y6</b><br><b>CANADA</b><br><br><b>Tel. No. (613) 232-2486</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                        |                                   | Dated: <b>August 31, 2006</b><br><br><div style="border: 1px solid black; padding: 5px;">         I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____<br/>         (Date) ..<br/> <br/>         _____<br/>         Signature of Person Mailing Correspondence<br/> <br/>         _____<br/>         Typed or Printed Name of Person Mailing Correspondence       </div> |                               |                                      |  |
| cc:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                        |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |                                      |  |

P11LARGE/REV10

AUG 31 2006

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/682,084 Confirmation No. 9193  
Applicant : Adrian Smith, et al  
Filed : October 10, 2003  
TC/A.U. : 2617  
Examiner : Julio R. Perez

Docket No. : 71493-1196  
Customer No. : 07380

Commissioner for Patents  
Alexandria, VA 22313-1450  
U.S.A.

**ATTENTION: MAILSTOP AF  
AMENDMENT AFTER FINAL  
EXPEDITED HANDLING  
REQUESTED**

Dear Sir:

This is in response to the Final Action mailed June 6, 2006 on the Application identified above.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.